

5. The settlement between Mr. Messer and HC2, Inc. does not resolve HC2's affirmative claims against Mr. Delaney. Mr. Delaney has not been granted a discharge but HC2 will promptly advise this Court of the status of its claims against Mr. Delaney if Mr. Delaney is granted a discharge.

6. I declare under penalty of perjury that the above is true and correct, and that I executed this declaration this 8th day of October 2021.

/s/ Michael Nacchio
Michael Nacchio

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